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# Have You Heard the News?

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## **VITA Is Proactive in Implementing the Virginia Administrative Dispute Resolution Act (VADRA)**

**February 25, 2004**

In the 2002 session, the Virginia General Assembly enacted §§2.2-4115 through 4119, *Code of Virginia* or the Virginia Administrative Dispute Resolution Act (VADRA), which encourages use of Alternative Dispute Resolution (ADR) by local governments and executive branch agencies in a variety of administrative areas. VADRA also created the Interagency Dispute Resolution Advisory Council that is comprised of representatives from each Secretariat. VADRA requires executive branch agencies to develop policies addressing the use of ADR.

VITA has taken a very active role in implementing ADR into its procurement policies. As the Commonwealth's central purchasing agency for information technology, VITA is responsible for the procurement of millions of dollars of technology each year. As part of its procurement reform effort, VITA has utilized ADR options to resolve protests of contract awards. VITA's solicitation documents inform potential industry partners that VITA will utilize ADR in protest resolution and contractual dispute resolution. In recent procurement, VITA has requested that its industry partners agree to alternative dispute resolution as a means of resolving any potential contractual dispute. VITA's major industry partners, such as Microsoft, have extensive experience with the use of ADR in the private sector, and have willingly agreed to utilize it as a first step in settling contractual disputes.

Through its work on the Interagency Dispute Resolution Advisory Council, VITA representatives have played a major role in creating the VADRA website for use by agencies and the public. VITA personnel have also conducted statewide agency training on the use of ADR in procurements and ADR agency training. VITA understands that a fundamental function of government is collaborative problem solving, including the fair and efficient management of conflict and resolution of disputes and is committed to the further development and promotion of ADR processes wherever possible.

What is ADR? ADR is a method of conflict resolution that utilizes a neutral third party to help the parties communicate and resolve their dispute. ADR incorporates the use of conciliation, facilitation, regulatory negotiation, neutral evaluation and other methods for conflict resolution. ADR has been adopted by the Commonwealth as a tool for handling disputes as it is proven to be faster, less costly, less confrontational, and less adversarial while the parties retain control and have ownership in the outcome.

The creation of VITA by the 2003 General Assembly is intended to yield significant savings for the Commonwealth, and increased efficiencies and service improvements to the state's technology infrastructure.

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